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PTO/SB/21 (08-03)
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# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

| | |
|---|---|
| Application Number | 10/777,838 |
| Filing Date | February 12, 2004 |
| First Named Inventor | Mark K. Wedel |
| Art Unit | To Be Determined |
| Examiner Name | To Be Determined |
| Total Number of Pages in This Submission | Attorney Docket Number: ISIC0008-100 (FMDL0001US) |

**ENCLOSURES** *(check all that apply)*

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment / Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Supplemental Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
- ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:

  **Form PTOB (1p.); (1) Reference Cited, (1) Reference Enclosed; Copy of International Search Report dated October 25, 2005 for International Application No. PCT/US04/04205.**

Remarks

**EXPRESS MAIL LABEL NO: EV770974515US**
**DATE OF DEPOSIT: 11/30/05**

EV770974515US

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

| | |
|---|---|
| Firm or Individual name | Quan L. Nguyen, Registration No. 46,957 |
| Signature | |
| Date | Nov 30/05 |

**CERTIFICATE OF MAILING**

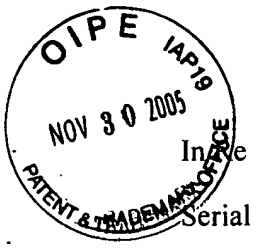
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

| | | | |
|---|---|---|---|
| Typed or printed name | | | |
| Signature | | Date | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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DOCKET NO: ISIC0008-100 (FMDL0001US) PATENT




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Wedel and Miner Jr.**

Serial No.: **10/777,838** Group Art Unit: **To Be Determined**

Filing Date: **February 12, 2004** Examiner: **To Be Determined**

For: **Compositions And Methods For Treatment Of Pouchitis**

**EXPRESS MAIL LABEL NO: EV770974515US**
**DATE OF DEPOSIT:** Nov 30/05

**Mail Stop Amendment**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the reference listed on the PTO Form SB/08B, formerly known as PTO Form 1449 submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made.

**This Supplemental Information Disclosure Statement is being filed:**

- ☐ within three months of the filing date of the patent application.
- ☐ within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- ☒ **before** the mailing date of a first Office Action on the merits.
- ☐ **before** the mailing date of a first Office Action on the merits after the filing of a Request for Continued Examination under § 1.114.

☐ **after** the mailing date of a first Office Action on the merits or after the filing of a Request for Continued Examination under § 1.114, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:

☐ the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);

**or**

☐ the Fee of $180.00 set forth in 37 C.F.R. § 1.17(p); or

☐ No fee is owed by the applicant(s).

☐ In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with the ☐ first or ☐ second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of $180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.

☐ **after** the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), and the Fee of $180.00 set forth in 37 C.F.R. §1.17(p).

☒ A copy of the reference listed on the attached PTO Form SB/08B, formerly known as PTO Form 1449, is enclosed. Also enclosed is a copy of the International Search Report dated October 24, 2005 for International Application No. PCT/US04/04205.

**EXCEPT THAT:**

☐ In view of the voluminous nature of references, and the likelihood that these reference are available to the Examiner, copies are not enclosed herewith.

☐ In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached PTO Form SB/08A and PTO Form SB/08B, formerly known as PTO Form 1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) @@ for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

**Statement under 37 C.F.R. § 1.97(e)**

☐ The undersigned attorney hereby states that each item information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement under 37 C.F.R. § 1.704(d)**

☐ The undersigned attorney hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and the communication was not received by any individual designated in §1.56(c) more than 30 days prior to the filing of the Information Disclosure Statement.

**Fees**

☐ No Fee is owed by the applicant(s).

☐ The Supplemental Information Disclosure Statement Fee of $180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

☐ The Petition Fee of $130.00 under 37 C.F.R. § 1.17(i)(1) is enclosed herewith.

**Method of Payment of Fees**

☐ Attached is a check in the amount of $_____. This form is submitted in duplicate.

☐ Charge Deposit Account No. 50-1275 in the amount of $180.00. This form is submitted in duplicate.

☒ Please charge any deficiency or credit any overpayment to Deposit Account 50-1275.

☒ No fee or Statement is required under 37 C.F.R. § 1.97(b) since no First Office Action on the merits has been received by Applicants.

Respectfully submitted,

Dated: Nov 30/05

**Quan L. Nguyen**
Registration No. **46,957**

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Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet | 1 | of | 1

| *Complete if Known* | |
|---|---|
| *Application Number* | 10/777,838 |
| *Filing Date* | February 12, 2004 |
| *First Named Inventor* | Mark K. Wedel |
| *Art Unit* | To Be Determined |
| *Examiner Name* | To Be Determined |
| *Attorney Docket Number* | ISIC0008-100 (FMDL0001US) |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials * | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
|---|---|---|---|
| | B70 | Miner et al., "An enema formulation of alicaforsen, an antisense inhibitor of intercellular adhesion molecule-1, in the treatment of chronic, unremitting pouchitis," *Aliment Pharmacol Ther* (2004) 19:281-286. | |
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| Examiner Signature | | Date Considered | |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
[1] Applicant's unique citation designation number (optional). [2] Applicant is to place a check mark here if English language Translation is attached.
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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